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PATENT  
Attorney Docket No. ITV-002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Buehler  
SERIAL NO.: 10/659,454 GROUP NO.: 2643  
FILING DATE: September 10, 2003 EXAMINER: Not yet assigned  
TITLE: Method and Apparatus for Computerized Image Background Analysis

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19 day of April, 2005.

Susan Boucher  
Susan Boucher

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Fourth Supplemental Information Disclosure Statement (2 pages);
3. Form PTO 1449 (1 page);
4. Copies of cited references (C8-C9); and
5. Return-receipt postcard.

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LIBA/1528938.1

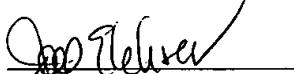
**TRANSMITTAL  
FORM**



<b>TRANSMITTAL FORM</b>	Application Serial Number	10/659,454
	Filing Date	September 10, 2003
	First Named Inventor	Buehler
	Group Art Unit	2643
	Examiner Name	Not yet assigned
	Attorney Docket No.	ITV-002
	Patent No.	Not applicable
	Issue Date	Not applicable

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input type="checkbox"/> Check Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul> <input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]</li> </ul> <input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application  <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Fourth Supplemental Information Disclosure Statement <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Form PTO-1449</li> <li><input checked="" type="checkbox"/> Copies of Fourth Supp. IDS Citations (C8-C9)</li> </ul> <input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard  <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul>	<input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of Correction (in duplicate)</li> </ul>	

<b>CORRESPONDENCE ADDRESS</b> <p>Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414</p>	<b>SIGNATURE BLOCK</b> <p>Respectfully submitted,</p> <p style="text-align: right;"> Joel E. Lehrer Attorney for Applicant Goodwin Procter LLP Exchange Place Boston, MA 02109</p> <p>Date: April 15, 2005 Reg. No. 56,401 Tel. No.: (617) 570-1057 Fax No.: (617) 523-1231</p>
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Buehler  
SERIAL NO.: 10/659,454 GROUP NO.: 2643  
FILING DATE: September 10, 2003 EXAMINER: Not yet assigned  
TITLE: Method and Apparatus for Computerized Image Background Analysis

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the non-patent publications are enclosed.

### REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- the requisite Statement is below, **OR**
- the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

Fourth Supplemental Information Disclosure Statement

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- (3) after the mailing date of a **final action or notice of allowance** but before the payment of the issue fee, **AND**
- the requisite Statement is below, **AND**
- the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

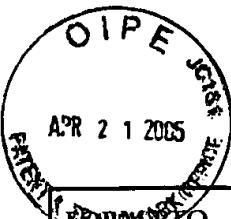
1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Date: April 19, 2005  
Reg. No. 56,401

Tel. No.: (617) 570-1057  
Fax No.: (617) 523-1231  
VER 11/03  
LIBA/1528940.1

  
\_\_\_\_\_  
Joel E. Lehrer  
Attorney for the Applicant  
Goodwin Procter LLP  
Exchange Place  
Boston, Massachusetts 02109  
Customer No. 051414



SHEET 1 OF 1

FORM TWO - 1449  FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTORNEY DOCKET NO.: ITV-002  APPLICANT(S): Buehler  SERIAL NO.: 10/659,454  FILING DATE: September 10, 2003 GROUP: 2643					
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## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A54	5,305,390	04/19/94	Frey <i>et al.</i>	382	2	03/20/92
	A55	6,061,088	05/09/00	Khosravi <i>et al.</i>	348	169	01/20/98
	A56	6,456,730	09/24/02	Taniguchi	382	107	06/17/99
	A57	6,813,372	11/02/04	Stanbridge <i>et al.</i>	382	107	03/30/01

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)

## OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C8	International Search Report for PCT/US04/29417 dated March 18, 2005
	C9	Written Opinion of the International Searching Authority for PCT/US04/29417
EXAMINER	DATE CONSIDERED	

VER 9/00